

Imaged Certificate of Notice Page 1 of 7

United States Bankruptcy Court
Eastern District of PennsylvaniaIn re:
Barry Portnoy
DebtorCase No. 14-16081-mdc
Chapter 7**CERTIFICATE OF NOTICE**

District/off: 0313-2

User: Randi
Form ID: pdf900Page 1 of 3
Total Noticed: 1

Date Rcvd: Mar 29, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 31, 2018.

db +Barry Portnoy, 101 Edwards Drive, Richboro, PA 18966-1174

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Mar 31, 2018

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 29, 2018 at the address(es) listed below:

ALBERT M BELMONT, III on behalf of Interpleader SamZach Irrevocable Trust
abelmont@bochettoandlantz.com, mkamins@bochettoandlantz.com

ALBERT M BELMONT, III on behalf of Interpleader Danielle Portnoy abelmont@bochettoandlantz.com,
mkamins@bochettoandlantz.com

ALBERT M BELMONT, III on behalf of Defendant Zachary Portnoy abelmont@bochettoandlantz.com,
mkamins@bochettoandlantz.com

ALBERT M BELMONT, III on behalf of Defendant Danielle Portnoy abelmont@bochettoandlantz.com,
mkamins@bochettoandlantz.com

ALBERT M BELMONT, III on behalf of Defendant Danielle Portnoy (as Trustee of the "SamZach
Irrevocable Trust") abelmont@bochettoandlantz.com, mkamins@bochettoandlantz.com

ALBERT M BELMONT, III on behalf of Defendant Samzach Partners, L.P.
abelmont@bochettoandlantz.com, mkamins@bochettoandlantz.com

ALBERT M BELMONT, III on behalf of Defendant Samantha Portnoy (as Co-Trustee of the Revocable
Deed of Trust of Danielle M. Portnoy) abelmont@bochettoandlantz.com,
mkamins@bochettoandlantz.com

ALBERT M BELMONT, III on behalf of Defendant Sam-Zachary Partners, LLC
abelmont@bochettoandlantz.com, mkamins@bochettoandlantz.com

ALBERT M BELMONT, III on behalf of Defendant Samantha Portnoy abelmont@bochettoandlantz.com,
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abelmont@bochettoandlantz.com, mkamins@bochettoandlantz.com

ALBERT M BELMONT, III on behalf of Defendant BF Services, L.P. abelmont@bochettoandlantz.com,
mkamins@bochettoandlantz.com

ALBERT M BELMONT, III on behalf of Defendant Altchem Environmental Services, Inc.
abelmont@bochettoandlantz.com, mkamins@bochettoandlantz.com

ALBERT M BELMONT, III on behalf of Defendant Danielle Portnoy (as Co-Trustee of the Revocable
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ALBERT M BELMONT, III on behalf of Defendant Maxsys, Inc. abelmont@bochettoandlantz.com,
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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

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GARY F SEITZ on behalf of Trustee ROBERT H. HOLBER gseitz@gsbblaw.com, hsmith@gsbblaw.com
GEORGE BOCHETTO on behalf of Defendant Danielle Portnoy (as Trustee of the "SamZach Irrevocable Trust") gbochetto@bochettoandlantz.com
GEORGE BOCHETTO on behalf of Defendant Danielle Portnoy gbochetto@bochettoandlantz.com
GEORGE BOCHETTO on behalf of Defendant Maxsys, Inc. gbochetto@bochettoandlantz.com
GEORGE BOCHETTO on behalf of Defendant Zachary Portnoy gbochetto@bochettoandlantz.com
GEORGE BOCHETTO on behalf of Defendant Samantha Portnoy (as Co-Trustee of the Revocable Deed of Trust of Danielle M. Portnoy) gbochetto@bochettoandlantz.com
GEORGE BOCHETTO on behalf of Defendant Samantha Portnoy gbochetto@bochettoandlantz.com
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GEORGE BOCHETTO on behalf of Defendant BF Services, L.P. gbochetto@bochettoandlantz.com
GEORGE BOCHETTO on behalf of Interpleader Danielle Portnoy gbochetto@bochettoandlantz.com
GEORGE BOCHETTO on behalf of Defendant Samzach Partners, L.P. gbochetto@bochettoandlantz.com
GEORGE BOCHETTO on behalf of Defendant Danielle Portnoy (as Co-Trustee of the Revocable Deed of Trust of Danielle M. Portnoy) gbochetto@bochettoandlantz.com
GEORGE BOCHETTO on behalf of Defendant Sam-Zachary Partners, LLC gbochetto@bochettoandlantz.com
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JEFFREY KURTZMAN on behalf of Defendant Danielle Portnoy Kurtzman@kurtzmansteady.com
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JEFFREY KURTZMAN on behalf of Interpleader SamZach Irrevocable Trust Kurtzman@kurtzmansteady.com
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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

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STEVEN E. OSTROW on behalf of Interested Party EVC Turnpike Dr., LLC
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THOMAS I. PULEO on behalf of Creditor M&T BANK tpuleo@kmlawgroup.com,
bkgroup@kmlawgroup.com
United States Trustee USTPRegion03.PH.ECF@usdoj.gov

TOTAL: 95

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

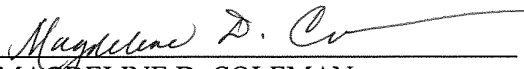
_____)	Chapter 7
In re:)	
)	
BARRY PORTNOY,)	Case No. 14-16081-mdc
)	
Debtor.)	
_____)	

ORDER

AND NOW, this 29th day of March, 2018, upon consideration of the Motion of Robert H. Holber, Chapter 7 Trustee, for Leave to File a Reply in support of Trustee's Motion to compel Debtor to file his tax returns pursuant to 11 U.S.C. § 521 ("Motion"), it hereby

ORDERED that said Motion is GRANTED; and it is further

ORDERED, the Clerk of Court shall file the reply attached as Exhibit A to the Motion at its earliest convenience.



MAGDELINE D. COLEMAN
UNITED STATES BANKRUPTCY JUDGE

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:

BARRY PORTNOY,

Debtor.

)
)
) **Chapter 7**
)
) **Case No. 14-16081-mdc**
)
)

**REPLY OF ROBERT H. HOLBER AS CHAPTER 7 TRUSTEE
TO DEBTOR'S RESPONSE TO MOTION TO COMPEL TURNOVER**

Robert H. Holber, Esquire, the duly appointed and qualified trustee ("Trustee") in this case, through his undersigned counsel, hereby replies to the response of Debtor to the motion to compel Debtor to file his tax returns pursuant to 11 U.S.C. § 521 (the "Motion"). In further support of the Motion, the Trustee states as follows:

1. The statute is clear that the court shall order the filing of certain tax returns by the Debtor upon the request of the case trustee; Mr. Holber is clearly the case trustee. 11 U.S.C. § 521.

2. The debtor has opposed the Motion, contending that the Trustee ought not be allowed access to the returns because of procedures in place under the *Guide to Judiciary Policy*, vol. 4, chapter 8 § 830 (Guidance for Protection of Tax Information), available at <http://www.uscourts.gov/rules-policies/judiciary-policies/bankruptcy-case-policies>.

3. The debtor's objection to the Trustee's obtaining access to the returns is premature.

4. The Trustee and any other party in interest may be entitled to obtain access to returns that the Debtor files pursuant to the order sought by the Trustee once the Trustee and any other party in interest complies with the procedures set forth in § 830.30(b), quoted in the debtor's response.

5. In the meantime, the statute clearly states that the court must grant the Trustee's request and direct the Debtor to file with the court:

(1) at the same time filed with the taxing authority a copy of each Federal income tax return required under applicable law (or at the election of the debtor, a transcript of such tax return) with respect to each tax year of the debtor ending while the debtor's bankruptcy case is pending under such chapter 7, 11 or 13 of the Bankruptcy Code;

(2) at the same time filed with the taxing authority each Federal income tax return required under applicable law (or at the election of the debtor, a transcript of such tax return) that had not been filed with such authority as of the date of the commencement of the case and that was subsequently filed for any tax year of the debtor ending in the 3-year period ending on the commencement of the case and that was subsequently filed for any tax year of the debtor ending in the 3-year period ending on the date of the commencement of the case; and

(3) a copy of each amendment to any Federal income tax return or transcript filed with the court under paragraph (1) or (2).

WHEREFORE, the Trustee requests an Order, in the form attached to the Motion, compelling the Debtor to file certain tax returns and grant such further relief this Court deems just and proper under the circumstances.

Dated: 3/9/2018

GELLERT SCALI BUSENKELL & BROWN, LLC

By: /s/ Gary F. Seitz
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The Curtis Center
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Counsel to the Chapter 7 Trustee

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:

BARRY PORTNOY,

Debtor.

)
)
) **Chapter 7**
)
) **Case No. 14-16081-mdc**
)
)

CERTIFICATION OF SERVICE

I hereby certify that on the date set forth below, the foregoing Reply was served on all parties of record via this Court's CM/ECF notification system.

Dated: 3/9/2018

GELLERT SCALI BUSENKELL & BROWN, LLC

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